

**Fill in this information to identify the case:**

United States Bankruptcy Court for the:

Southern District of New York

Case number (if known): \_\_\_\_\_ Chapter 15

☐ Check if this is an amended filing

**Official Form 401**

**Chapter 15 Petition for Recognition of a Foreign Proceeding**

12/15

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write debtor's name and case number (if known).

1. Debtor's name Tervita Corporation

2. Debtor's unique identifier For non-individual debtors:

☒ Federal Employer Identification Number (EIN) 9 8 -0 5 6 9 8 8 6

☒ Other 865985469. Describe identifier Canadian Business Number

For individual debtors:

☐ Social Security number: xxx - xx- \_\_\_\_\_

☐ Individual Taxpayer Identification number (ITIN): 9 xx - xx - \_\_\_\_\_

☐ Other \_\_\_\_\_. Describe identifier \_\_\_\_\_

3. Name of foreign representative(s) Rob Van Wallegghem

4. Foreign proceeding in which appointment of the foreign representative(s) occurred Proceeding under Section 192 of the Canada Business Corporations Act, R.S.C. 1985, C. C-44, pending before the Court of Queen's Bench of Alberta

5. Nature of the foreign proceeding

Check one:

- ☒ Foreign main proceeding  
☐ Foreign nonmain proceeding  
☐ Foreign main proceeding, or in the alternative foreign nonmain proceeding

6. Evidence of the foreign proceeding

- ☒ A certified copy, translated into English, of the decision commencing the foreign proceeding and appointing the foreign representative is attached.  
☐ A certificate, translated into English, from the foreign court, affirming the existence of the foreign proceeding and of the appointment of the foreign representative, is attached.  
☐ Other evidence of the existence of the foreign proceeding and of the appointment of the foreign representative is described below, and relevant documentation, translated into English, is attached.  
See Declaration of Rob Van Wallegghem in Support of Verified Petition for Entry of an Order Recognizing Foreign Main Proceeding and Granting Additional Relief ("Wallegghem Declaration").

7. Is this the only foreign proceeding with respect to the debtor known to the foreign representative(s)?

- ☐ No. (Attach a statement identifying each country in which a foreign proceeding by, regarding, or against the debtor is pending.)  
☒ Yes

Debtor Tervita Corporation  
Name

Case number (if known) \_\_\_\_\_

**8. Others entitled to notice**

Attach a list containing the names and addresses of:

- (i) all persons or bodies authorized to administer foreign proceedings of the debtor,
  - (ii) all parties to litigation pending in the United States in which the debtor is a party at the time of filing of this petition, and
  - (iii) all entities against whom provisional relief is being sought under § 1519 of the Bankruptcy Code.
- See Wallegghem Declaration.

**9. Addresses**

**Country where the debtor has the center of its main interests:**

Canada

**Debtor's registered office:**

3400, 350 7th Avenue SW

Number Street

P.O. Box

Calgary, Alberta

T2P 3N9

City State/Province/Region ZIP/Postal Code

Canada

Country

**Individual debtor's habitual residence:**

**Address of foreign representative(s):**

500, 140 10th Avenue SE

Number Street

Number Street

P.O. Box

P.O. Box

Calgary, Alberta

T2G 0R1

City State/Province/Region ZIP/Postal Code

City State/Province/Region ZIP/Postal Code

Canada

Country

Country

**10. Debtor's website (URL)**

www.tervita.com

**11. Type of debtor**

Check one:

☒ Non-individual (check one):

☒ Corporation. Attach a corporate ownership statement containing the information described in Fed. R. Bankr. P. 7007.1.

☐ Partnership

☐ Other. Specify: \_\_\_\_\_

☐ Individual

Debtor Tervita Corporation  
Name

Case number (if known) \_\_\_\_\_

**12. Why is venue proper in this district?**

Check one:

- ☒ Debtor's principal place of business or principal assets in the United States are in this district.
- ☐ Debtor does not have a place of business or assets in the United States, but the following action or proceeding in a federal or state court is pending against the debtor in this district:
- \_\_\_\_\_
- ☐ If neither box is checked, venue is consistent with the interests of justice and the convenience of the parties, having regard to the relief sought by the foreign representative, because:
- \_\_\_\_\_

**13. Signature of foreign representative(s)**

I request relief in accordance with chapter 15 of title 11, United States Code.

I am the foreign representative of a debtor in a foreign proceeding, the debtor is eligible for the relief sought in this petition, and I am authorized to file this petition.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct,

**X**

  
Signature of foreign representative

Rob Van Wallegghem  
Printed name

Executed on 10/18/16  
MM / DD / YYYY

**X**

\_\_\_\_\_  
Signature of foreign representative

\_\_\_\_\_  
Printed name

Executed on \_\_\_\_\_  
MM / DD / YYYY

**14. Signature of attorney**

**X**

\_\_\_\_\_  
Signature of Attorney for foreign representative

Date

\_\_\_\_\_  
MM / DD / YYYY

Mark A. Broude  
Printed name

Latham & Watkins LLP  
Firm name

885 Third Avenue  
Number Street

New York  
City

NY 10022  
State ZIP Code

(212) 906-1200  
Contact phone

mark.broude@lw.com  
Email address

2335198  
Bar number

NY  
State

Debtor

Tervita Corporation  
Name

Case number (if known) \_\_\_\_\_

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I declare under penalty of perjury that the foregoing is true and correct,

**X**

\_\_\_\_\_  
Signature of foreign representative

Rob Van Wallegghem

Printed name

Executed on \_\_\_\_\_

MM / DD / YYYY

**X**

\_\_\_\_\_  
Signature of foreign representative

Printed name

Executed on \_\_\_\_\_

MM / DD / YYYY

**14. Signature of attorney**

**X** 

Date

10/18/2016

Signature of Attorney for foreign representative

MM / DD / YYYY

Mark A. Broude

Printed name

Latham & Watkins LLP

Firm name

885 Third Avenue

Number Street

New York

City

NY

State

10022

ZIP Code

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